

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 3-8, 10-14, 19-27 are pending. Claims 2 and 15-18 were previously canceled without prejudice or disclaimer. Claim 9 is canceled in this Amendment without prejudice or disclaimer. Claims 1, 3, 8 and 21 are amended without the introduction of new matter.

II. Obviousness-type Double Patenting Rejection

Claims 1, 3-14 and 19-27 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-12 of U.S. Patent No. 7,298,932. That rejection is respectfully traversed. The Applicant will consider filing a terminal disclaimer to obviate the obviousness-type double patenting rejection once the pending claims are found to be allowable except for the obviousness-type double patenting rejection.

III. Rejection under 35 U.S.C. § 103

Claims 1, 3-14 and 19-27 were rejected under 35 USC §103(a) as unpatentable over Friedman (U.S. Patent No. 5,499,294) in view of Takanashi (U.S. Patent No. 6,330,051). The rejection of claim 9 is moot because the claim is canceled in this Amendment as noted above. The Applicant respectfully traverses the rejection of claims 1, 3-8, 10-14 and 19-27.

Independent claim 1 is directed to an image verification apparatus and amended to correct a typographical error. Claim 1 recites, among others, the features that the display form change unit avoids displaying the additional information if the verification unit verifies that the digital image has been altered.

For example, referring to the non-limiting embodiment of FIG. 12, the Specification describes at page 21, line 17, to page 23, line 1, as follows:

Step S1006: if the two hash values do not coincide with each other, the main controller 210 displays "NG" in the verification result column, as shown in FIG. 12. "NG" is information representing that the selected image file is an image file determined to have been "altered". If the selected image file is an image file determined to have been "altered", accessory information in the area 401 may have been altered. To notify the verifier that accessory information (thumbnail image, photographing date & time, shutter speed, F-number, ISO sensitivity, size, model name, manufacturing number, and the like) obtained from the area 401 of the selected image file may have been altered, the main controller 210 changes the display form of the accessory information in the list window for the selected image file determined to have been "altered".

As change examples of the display form, the first to third display forms will be explained. In the first display form, all pieces of information displayed in the columns for the thumbnail, photographing date & time, shutter speed, F-number, ISO sensitivity, size, model name, and manufacturing number are erased. In the second display form, a sign (e.g., "X") representing the possibility of alteration is added to a thumbnail image displayed in the thumbnail column, and all pieces of information displayed in the columns for the photographing date & time, shutter speed, F-number, ISO sensitivity, size, model name, and manufacturing number are erased, as shown in FIG. 12. In the third display form, a sign (e.g., "X") representing the possibility of alteration is added to all pieces of information displayed in the columns for the thumbnail, photographing date & time, shutter speed, F-number, ISO sensitivity, size, model name, and manufacturing number. Another display form can also be adopted as far as the display form can notify the verifier that accessory information of the selected image file may have been altered.

Similar features are described at page 25, line 16, to page 26, line 27, referring to the non-limiting embodiment of FIG. 13. Because the display form change unit recited in claim 1 avoids displaying the additional information if the verification unit verifies that the digital image

has been altered, the image verification apparatus can notify the user in an easy-to-understand way of accessory information which may have been altered.¹

In the outstanding Office Action, the Examiner acknowledges that Friedman fails to disclose features relating to the display form change unit recited in claim 1 and states that “[Friedman] does not explicitly state its corresponding ‘display the additional information (thumbnail image) if verification unit verifies that the image has been altered.’” Then, the Examiner combines Takanashi to supplement the deficiency of Friedman.

However, Takanashi merely describes that the display mode of magnetic information to be displayed correspondingly to the frame images is altered to the form of words and phrases or the form of abbreviation, depending on the number of frame images to be displayed on the test image 204.² In contrast to the above-noted features recited in claim 1, Takanashi is silent as to the notification indicating whether a digital image is altered or not. Thus, Takanashi does not teach or suggest that the display form change unit avoids displaying the additional information if the verification unit verifies that the digital image has been altered, as recited in claim 1. Thus, even if the teachings of Friedman and Takanashi are combined, the combined teachings would not obviate the features recited in claim 1 as not all limitations of claim 1 would be taught.

Therefore, the features recited in claim 1 are patentably distinguishable over the cited references of Friedman and Takanashi, either taken individually or in combination. Accordingly, the Applicant respectfully requests the withdrawal of the rejection of claim 1 and claims dependent therefrom.

Claim 3, which depends directly from claim 1, is further patentably distinguishable over the cited references, either taken individually or in combination, when considered in the context

¹ See, for example, the Specification at page 2, lines 1-4.

² See Takanashi at, for example, Abstract and column 16, lines 4-12.

of claim 1. Specifically, claim 3 recites that the display form change unit displays information indicating that the digital image has been altered, if the verification unit verifies that the digital image has been altered.

The Examiner asserts that such features of claim 3 are disclosed in Friedman in claim 1, abstract and the specification at column 6, lines 2-30, and column 7, line 58 to column 8, line 25. However, Friedman merely describes how the authenticating apparatus determines authenticity of an image file, and does not teach or suggest that the display form change unit displays information indicating that the digital image has been altered, if the verification unit verifies that the digital image has been altered. In addition, similar arguments as set forth above with regard to claim 1 also apply to claim 3 in that Takanashi does not teach or suggest the above-noted features of claim 3. Accordingly, the features recited in claim 3 are patentably distinguishable over the cited references, either taken individually or in combination.

Independent claims 8 and 21, and claims dependent therefrom, are patentably distinguishable over the cited references, either taken individually or in combination, for the reasons advanced for claim 1 to the extent that claims 8 and 21 each include features substantially similar to the above-discussed features of claim 1.

Claims 10 and 22 are further patentably distinguishable over the cited references, either taken individually or in combination, for the reasons advanced for claim 3 to the extent that claims 10 and 22 each include features substantially similar to the above-discussed features of claim 3.

Accordingly the Applicant respectfully requests the withdrawal of the rejections of claims 1, 3-8, 10-14, and 19-27.

In view of the above amendments, Applicant believes the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

AUTHORIZATION

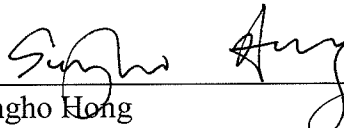
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5362). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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